

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
(WESTERN DIVISION)**

IN RE MERCY HEALTH ERISA LITIGATION

Civil Action No.: 1:16-cv-00441-SJD

**JOINT DECLARATION OF LAURA R. GERBER, MICHELLE C. YAU AND
THOMAS R. THEADO IN SUPPORT OF PLAINTIFFS' MOTIONS FOR FINAL
APPROVAL OF A CLASS ACTION SETTLEMENT AND FOR AWARD OF
ATTORNEYS' FEES AND EXPENSES AND CASE CONTRIBUTION AWARDS**

**EXHIBIT E
GARY, NAEGELE & THEADO LLC
ANALYSIS OF TIME, LODESTAR & EXPENSES**

FIRM NAME: Gary, Naegele & Theado, LLC

In re: Mercy Health ERISA Litigation, No. 1:16-cv-00441-SJD-SKB (S.D. Ohio)

REPORTING PERIOD: Inception – October 10, 2018

Name	Position	Years of Practice	Rate	Hours	Lodestar
Thomas R. Theado	Attorney	39	\$510.00	23.55	\$12,010.50
Total					\$12,010.50

Timekeeper	Initial Compl.	23(g)	Discovery	Amended Compl.	MTD	Misc. Motions/scheduling	Mediation/Settlement	Prelim. Approval	Client Contact	Other Class Member contact	Final Approval
Thomas R. Theado	10.90	1.60	0	.80	0	7.95	0	1.00	0	1.30	0
Totals	10.90	1.60	0	.80	0	7.95	0	1.00	0	1.30	0

Explanation of subject columns

Initial Compl.	All work concerning the filing of initial complaints by the plaintiffs in this action, including investigations, drafting, editing, filing, service of process, and all related communications and meetings (except with lead plaintiffs or class members).
23(g)	All work concerning the establishment of a leadership structure for the litigation, including the drafting and filing of 23(g) motions and briefs and negotiations and communications between counsel concerning the 23(g) motions and resolution of the leadership structure.
Discovery	All work concerning formal discovery (does not include investigations that did not involve formal discovery mechanisms, such as the investigations that formed the basis for the complaints, which are included under the "complaints" headings)
Amended Complaint	All work concerning the filing of all amended complaints in this action (the second Whaley complaint and the Master Consolidated Complaint), including investigations, drafting, editing, filing, and all related communications and meetings (except with lead plaintiffs or class members).
Motion to Dismiss	All work concerning the Defendants' motions to dismiss, including research, drafting, editing, filing, and all related communications and meetings (except with lead plaintiffs or class members).

Misc. Motions/Scheduling	All work concerning miscellaneous motions not otherwise listed (such as the motion to consolidate, the response concerning a stay, etc.), including research, drafting, editing, filing, and all related communications and meetings (except with lead plaintiffs or class members), as well as communications and filings concerning the pre-trial schedule.
Mediation/Settlement	All work concerning the mediation and settlement agreement, including investigations, drafting, negotiations, including negotiations on the language of the term sheet and the Settlement Agreement and attached documents, including all related communications and meetings (except with lead plaintiffs or class members).
Preliminary Approval	All work concerning Preliminary Approval, including research, drafting, editing and filing the Preliminary Approval Motion and all attachments and supporting papers other than the Settlement Agreement, including all related communications and meetings (except with lead plaintiffs or class members).
Client Contact	All communications (written or oral) with lead plaintiffs.
Other Class Member Contact	All communications (written or oral) with class members other than lead plaintiffs.
Final Approval	All work concerning Final Approval, including research, drafting, editing and filing the Final Approval Motion and all attachments and supporting papers other than the Settlement Agreement, including all related communications and meetings (except with lead plaintiffs or class members).

In re Mercy Health ERISA Litigation, 1:16-cv-00441-SJD-SKB (S.D. Ohio)

Gary, Naegele & Theado LLC - Fees and Expenses

Description of Expense	Total Expenses
Postage/Express Delivery	\$17.82
Computer Research	\$1,879.91
TOTAL EXPENSES:	\$1,897.73

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